

Ord. # 5611

**ORDINANCE TO AMEND CHAPTER 25 OF THE CITY OF MEMPHIS CODE OF
ORDINANCES GOVERNING THE CITY PENSION SYSTEM**

WHEREAS, the City of Memphis, Tennessee (the "Employer") has adopted a defined benefit retirement plan known as City of Memphis Retirement System for General Employees, including police officers and firefighters, as subsequently amended and restated from time to time, and consisting of a 1948 plan (that part of the plan benefiting employees participating under the provisions of sections 25-60 through 25-99), a 1978 plan (that part of the plan benefiting employees participating under the provisions of sections 25-160 through 25-199), as amended in 2012, and a 2016 plan (that part of the plan benefiting employees participating under the provisions of sections 25-210 to 25-272 currently codified and established under City Ordinance Chapter 25, Articles I through VII, Division 1, Division 2 and Division 3 (collectively, "the Pension System"); and

WHEREAS, in order to protect and enhance the Pension System's actuarial soundness and ensure the long-term financial viability of the Pension System it is necessary that the Pension System be further amended as set forth herein; and

NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that the Pension System shall be amended as follows:

1. Section 25-1(44) *Year of Service* subparagraph c. *Service attributable to lump sum* shall be deleted in its entirety and the following subparagraph c substituted therefor as follows:

If a participant terminates employment and receives a lump sum withdrawal or refund of employee contributions pursuant section 25-85 or 25-185, such participant's years of service prior to such termination shall be disregarded; provided, (i) if such terminated participant is subsequently reemployed on or prior to June 30, 2016, (ii) as of June 30, 2016 such reemployed participant has seven and one-half (7.5) or more years of service (including the years of service after reemployment and the years of service for which the participant repays the plan as provided below), and (iii) the participant elects in writing on such forms as provided by the board to repay the trust as provided below, such participant may repay into the trust fund by no later than December 31, 2016 a single lump sum amount equal to the withdrawal or refunded amount with compounded interest, from the date of withdrawal or refund to the date of repayment, at the rate established by the board, whereupon (i) such disregarded years of service shall be restored, (ii) such participant shall be an Employee for purposes of Section 25-1(17), and (iii) such participant shall be a participant in the City of Memphis

Retirement System for General Employees, including police officers and firefighters, under City Ordinance Chapter 25, Articles I through VII, Division 1 or Division 2, as applicable, and shall not participate in the 2016 plan..

4815-7088-3374, v. 2

THE FOREGOING ORDINANCE
5611 PASSED

1st Reading 3-01-2016

2nd Reading 3-15-2016

3rd Reading 4-05-2016

Approved [Signature]

Chairman of Council

Date Signed: 23 Aug 2016

[Signature] ed:

Mayor, City of Memphis

Date Signed: 23 Aug 2016

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

Valerie C. Supis
Comptroller